

**UNITED STATES DISTRICT COURT**  
for the  
Western District of Wisconsin

|   |   |                                |
|---|---|--------------------------------|
| <u>Deutsche Bank Trust Company Americas, et al.</u>           | ) |                                |
| Plaintiff   | ) |                                |
| v.  | ) | Civil Action No. 3:11-CV-00396 |
| <u>The David L. Nelson Revocable Trust UA 02/11/91</u>        | ) |                                |
| <u>and David L. Nelson, as Trustee of the David L. Nelson</u> | ) |                                |
| <u>Revocable Trust</u>  | ) |                                |
| Defendants  | ) |                                |

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**ANSWER TO FIRST COMPLAINT AND SECOND AMENDED COMPLAINT**

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NOW COMES, the above-named defendant's attorney, by way of answer to the complaint, admits, alleges and denies as follows:

1. Defendant alleges that the First Complaint filed in the above noted action was filed and the Court granted a Stay in filing an Answer to that First Complaint until the Bankruptcy Court lifted the Stay Order and plaintiff filed this Second Amended Complaint; therefore this Answer is to serve as an Answer to the original Complaint and the Second Amended Complaint.
2. Defendant has no information as to the truth of the allegations set forth under the heading Second Amended Complaint in which Plaintiffs Deutsche Bank Trust Company Americas ("**DBTCA**") is identified and therefore denies that paragraph in its entirety and puts the Plaintiffs to proof thereon.
3. Under the heading Nature of the Action, in the Second Amended Complaint, Defendant has no information as to the truth of the allegations set forth in paragraphs 1-14 of Plaintiffs' Second Amended Complaint and denies the allegations and puts the Plaintiffs to proof thereon.
4. Under the heading of The Parties, Defendant, by way of Answer to paragraphs 15-155, denies all the allegations in the paragraphs in their entirety and puts the Plaintiffs to proof thereon.
5. Denies all the allegations of the original Complaint in their entirety.

WHEREFORE, defendants demand judgment dismissing Plaintiff's First and Second Amended complaint as set forth in the First and Second Cause of Action along with attorney's fees and costs and whatever relief the Court deems just and equitable.

Dated this 16<sup>th</sup> day of December, 2011

OWEN F. MONFILS  
ATTORNEY FOR DEFENDANT

/s/Owen F. Monfils  
Owen F. Monfils  
State Bar No.: 1006040